

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

BERNARD SMITH

Crim. No. 15-359 (MAS)

**DETENTION ORDER**

This matter having been opened to the Court on motion of the United States, by Philip R. Sellinger, United States Attorney for the District of New Jersey (Martha K. Nye, Assistant United States Attorney, appearing), in the presence of Adam Axel, AFD, counsel for the defendant, BERNARD SMITH, for an order pursuant to Title 18, United States Code, Section 3142(e) to detain the defendant without bail pending trial in the above-entitled matter because the defendant poses a risk of flight and a danger to the community; the defendant having made application for release on conditions; and the Court having heard arguments of counsel and requesting a report from the United States Probation Office; and for good cause shown:

IT IS, therefore, on this 11th day of May, 2023,

ORDERED, that the defendant is hereby DETAINED without prejudice. The defendant, by and through counsel, reserves the right to request a full hearing before this Court pursuant to Title 18, United States Code, Section 3142(f) on the issue of release at a date to be determined by the Court; and it is further


ORDERED, pursuant to Title 18, United States Code, Section 3142(e),

that the defendant be committed to the custody of the Attorney General or his authorized representative; and it is further

ORDERED that such detention be without prejudice to the defendant's right to seek pre-trial release pursuant to Title 18, United States Code, Section 3142(f) at a date to be determined by the Court; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that the defendant be afforded reasonable opportunity for private consultations with counsel; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that, upon order of this or any other court of the United States of competent jurisdiction or on request of an attorney for the United States, the defendant shall be delivered to a United States Marshal for the purpose of appearances in connection with court proceedings.

  
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HONORABLE DOUGLAS E. ARPERT  
United States Magistrate Judge